

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SAFETY NATIONAL CASUALTY  
CORPORATION,

Plaintiff,

v.

VILLAGE OF CAHOKIA,

Defendant.

Case No. 09-cv-482-JPG

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's Motion for Default Judgment (Doc. 9). This request is premature in light of the fact that the Clerk of Court has not entered default pursuant to Federal Rule of Civil Procedure 55(a) against the defendant. Only after default has been entered pursuant to Rule 55(a) against a party is a default judgment under Rule 55(b) appropriate. For this reason, the Court **DENIES without prejudice** the plaintiff's Motion for Default Judgment (Doc. 9).

**IT IS SO ORDERED.**

**DATED: October 16, 2009**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**